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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 JAMES H. JACOBS,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE, Commissioner of  
12 Social Security,

13 Defendant.

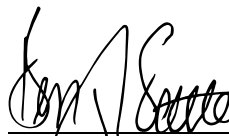
Case No. C07-5560BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation of the  
15 Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 14). The Court having  
16 considered the Report and Recommendation, Plaintiff's failure to file objections, and the  
17 remaining record, does hereby find and order:

- 18 (1) The Court adopts the Report and Recommendation (Dkt. 14);  
19 (2) the ALJ erred as described in the report; and  
20 (3) the matter is therefore **REVERSED** and **REMANDED** to the Commissioner  
21 for further administrative proceedings.

22 DATED this 20<sup>th</sup> day of August, 2008.

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25 BENJAMIN H. SETTLE  
26 United States District Judge  
27

28 ORDER